

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No. 03-465-D (400.151))

In the Application of:

McSwiggen et al

Serial No.: 10/826,966

Filing Date: April 16, 2004

For: RNA Interference Mediated Inhibition  
of Gene Expression Using Chemically  
Modified Short Interfering Nucleic  
Acid (siNA)

Examiner: Gibbs

Group Art Unit: 1635

Confirmation No. 2134

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

1. The Compact Disc contained herein ("03-465-D") submitted under 37 C.F.R. § 1.52(e):

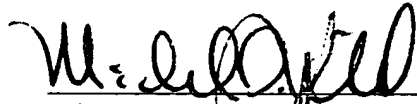
- ☒ Is formatted for IBM-PC Machines
- ☒ Is compatible with MS-Windows Operating System
- ☒ Contains the file "03-465-D SeqListing.txt" which is 401,408 bytes in size on disk and was created on September 28, 2006.

2. Statement under 37 C.F.R. § 1.52(e)(4): The undersigned certifies that the CD-R submitted herein, titled "03-465-D" (COPY 2) and the CD-R entitled "03-465-D" (COPY 1) are identical in content as required by C.F.R. § 1.52(e)(4).

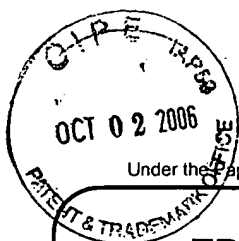
Respectfully submitted,  
McDonnell Boehnen Hulbert & Berghoff LLP

Dated: September 28, 2006

By:

  
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PTO/SB/21 (07-06)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/826,966
Filing Date	April 16, 2004
First Named Inventor	James McSwiggen
Art Unit	1635
Examiner Name	Terra C. Gibbs
Attorney Docket Number	03-465-D (400/151)

**ENCLOSURES (Check all that apply)**

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Replacement Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input checked="" type="checkbox"/> CD, Number of CD(s) <u>3</u><br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify<br>below):<br>Statement under 37 C.F.R. §<br>1.821(f) and Transmittal Letters for<br>CD-R COPY 1 and CD-R COPY 2 |
|---|---|--|

**Remarks**No fee is believed due. However, please charge any underpayments to  
Deposit Account No. 13-2490.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name McDonnell Boehnen Hulbert &amp; Berghoff LLP

Signature

Printed name Michael S. Greenfield

Date September 28, 2006

Reg. No. 37,142

**CERTIFICATE OF TRANSMISSION/MAILING**I hereby certify that this correspondence is being transmitted to the USPTO or deposited with the United States Postal Service with  
sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on  
the date shown below:

Signature

Typed or printed name Michael S. Greenfield

Date September 28, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.